THE HONOURABLE SRI JUSTICE V. ESWARAIAH

WRIT PETITION No.10671 OF 2007

DATED: 09-07-2007

BETWEEN

M. Mastan Rao,
S/o. Nagoji Rao,
Occ: Agriculture,
R/o. Kanchipadu Village,
Manapadu Mandal,
Mahabubnagar District
and two others.

...PETITIONERS

AND

The Superintendent of Police,
Kurnool, Kurnool District and
others.

...RESPONDENTS

ORDER:

Petitioners seek a Writ of Mandamus to declare the action of the respondents 2 and 3 in interfering with the civil disputes pending between them and the respondents 4 to 6, 8 and 9 at the instance of seventh respondent as illegal and arbitrary.

2. Counter has been filed by the third respondent – Station House Officer, I Town Police Station, Kurnool, stating that neither the unofficial respondents have made a complaint against the petitioners nor the petitioners have made any complaint against the unofficial respondents and that the police constables were never sent to the house of the petitioners on 08.05.2007 as alleged by them threatening and demanding them to pay the amounts due to

respondents 4 to 6. It is further stated that the allegation of the petitioners that they were directed to attend the police control room on 14.05.2007 is false and that the police never interfered with the civil disputes pending between the petitioners and the respondents 4 to 6, 8 and 9.

3. In view of the categorical denial of all the allegations of the petitioner and as no civil or criminal cases have been filed or pending, the said disputed questions of fact with regard to the alleged interference in the civil disputes cannot be decided in a writ petition.

The writ petition is accordingly dismissed. There shall be no order as to costs.

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V. ESWARAIAH, J

July 9, 2007
DSK